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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION
This Document Relates to:

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Best Buy Co., Inc., et al. v. Technicolor SA, et al., No. 13-cv-05264;

Electrograph Systems, Inc., et al. v. Technicolor SA, et al., No. 13-cv-06325;

Interbond Corporation of America v. Mitsubishi Electric & Electronics USA, Inc., et al., No. 13-cv-05727;

Office Depot, Inc. v. Technicolor SA, et al., No. 13-cv-81174:

P.C. Richard & Son Long Island Corporation, et al. v. Technicolor SA, et al., No. 13-cv-06327;

Master File No. 3:07-cv-05944-SC

MDL No. 1917

**DECLARATION OF MICHAEL T.
BRODY IN SUPPORT OF
MITSUBISHI ELECTRIC
CORPORATION'S MOTION FOR
SUMMARY JUDGMENT BASED
UPON ABSENCE OF EVIDENCE OF
LIABILITY**

Judge: Hon. Samuel P. Conti
Court: Courtroom 1, 17th Floor
Date: 10 a.m., February 6, 2015

[CONDITIONALLY UNDER SEAL]

1 *Target Corp. v. Technicolor SA, et al.*, No. 13-
2 cv-05686;

3 *Costco Wholesale Corporation v. Technicolor*
4 *SA, et al.*, No. 13-cv-02037;

5 *Schultze Agency Services, LLC v. Technicolor*
6 *SA, Ltd., et al.*, No. 13-cv-05668;

7 *Sears, Roebuck and Co., et al. v.*
8 *Technicolor SA*, No. 13-cv-05262;

9 *Dell Inc., et al. v. Phillips Electronics North*
10 *America Corporation, et al.* No. 13-cv-00141;

11 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*,
12 No.13-cv-00157;

13 *Siegel v. Technicolor SA, et al.*, No.13-cv-
14 05261;

15 *Viewsonic Corporation v. Chunghwa Picture*
16 *Tubes Ltd., et al.*, No.13-cv-02510.

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18 **DECLARATION OF MICHAEL T. BRODY**

19 I, MICHAEL T. BRODY, declare as follows:

20 1. I am an attorney licensed to practice law in the State of Illinois, I am a partner at
21 the law firm of Jenner & Block LLP, and an attorney of record for Defendants Mitsubishi
22 Electric Corporation, Mitsubishi Electric US, Inc., and Mitsubishi Electric Visual Solutions
23 America, Inc. I submit this declaration in support of Mitsubishi Electric Corporation's Notice Of
24 Motion And Motion For Summary Judgment Based Upon Absence Of Evidence of Liability. I
25 have personal knowledge of the facts set forth in this declaration and, if called as a witness, I
26 could and would testify competently to such facts under oath.

27 2. [UNDER SEAL] Attached to my declaration as Exhibit 1 is a true and correct
28 copy of Exhibit 6101, Samsung SDI Co., Ltd.'s Responses to Dell Plaintiffs' First Set of
Interrogatories.

1 3. [UNDER SEAL] Attached to my declaration as **Exhibit 2** is a true and correct
2 copy of Mitsubishi Electric Corporation's Supplemental Response to DAPs' First Set of
3 Interrogatories.

4 4. [UNDER SEAL] Attached to my declaration as **Exhibit 3** is a true and correct
5 copy of Volume II of the Deposition Transcript of Mitsubishi Electric Corporation's 30(b)(6)
6 witness Hitoshi Tsukamoto.

7 5. [UNDER SEAL] Attached to my declaration as **Exhibit 4** is a true and correct
8 copy of D. Bernstein's Letter to the Special Master, dated August 27, 2014.

9 6. [[UNDER SEAL] Attached to my declaration as **Exhibit 5** is a true and correct
10 copy of Volume I of the Deposition Transcript of Samsung SDI Employee Jae In Lee.

11 7. [UNDER SEAL] Attached to my declaration as **Exhibit 6** is a true and correct
12 copy of Exhibit 635 and 635E.

13 8. [UNDER SEAL] Attached to my declaration as **Exhibit 7** is a true and correct
14 copy of Plaintiffs Dell Inc. and Dell Products L.P. to Mitsubishi Electric Corporation's,
15 Mitsubishi Electric US, Inc.'s, and Mitsubishi Electric Visual Solutions America, Inc.'s First
16 Set of Interrogatories No. 1 and Ex. A.

17 9. [UNDER SEAL] Attached to my declaration as **Exhibit 8** is a true and correct
18 copy of Volume II of the Deposition Transcript of Mitsubishi Electric Corporation's 30(b)(6)
19 witness Kenzaburo Hara.

20 10. [UNDER SEAL] Attached to my declaration as **Exhibit 9** is a true and correct
21 copy of the Deposition Transcript of Mitsubishi Electric Corporation's Employee Norikazu
22 Nakanishi.

23 11. [UNDER SEAL] Attached to my declaration as **Exhibit 10** is a true and correct
24 copy of Volume I of the Deposition Transcript of Mitsubishi Electric Corporation's 30(b)(6)
25 witness Hitoshi Tsukamoto.

26 12. [UNDER SEAL] Attached to my declaration as **Exhibit 11** is a true and correct
27 copy of Exhibit 6111 and 6111E.

1 13. [Under Seal] Attached to my declaration as **Exhibit 12** is a true and correct copy
2 of ME 0001 – ME 0013.

3 14. [UNDER SEAL] Attached to my declaration as **Exhibit 13** is a true and correct
4 copy of ME 00087870.

5 15. [UNDER SEAL] Attached to my declaration as **Exhibit 14** is a true and correct
6 copy of ME 00087877.

7 16. [UNDER SEAL] Attached to my declaration as **Exhibit 15** is a true and correct
8 copy of ME 00147460 - ME 00147493.

9 17. [UNDER SEAL] Attached to my declaration as **Exhibit 16** is a true and correct
10 copy of Expert Report of Dov Rothman served by Mitsubishi Electric Corporation, Mitsubishi
11 Electric US, Inc., and Mitsubishi Electric Visual Solutions America, Inc. on August 5, 2014.

12 18. [UNDER SEAL] Attached to my declaration as **Exhibit 17** is a true and correct
13 copy of Exhibit 6119 and 6119E.

14 19. [UNDER SEAL] Attached to my declaration as **Exhibit 18** is a true and correct
15 copy Exhibit 1111 and 1111E.

16 20. [UNDER SEAL] Attached to my declaration as **Exhibit 19** is a true and correct
17 copy of Exhibit 6103.

18 21. [UNDER SEAL] Attached to my declaration as **Exhibit 20** is a true and correct
19 copy of CHU00028532 – 00028533 and CHU00028532E - 00028533E.

20 22. [UNDER SEAL] Attached to my declaration as **Exhibit 21** is a true and correct
21 copy of Volume II of the Deposition Transcript of former Chunghwa Employee Chih Chun-Liu.

22 23. [UNDER SEAL] Attached to my declaration as **Exhibit 22** is a true and correct
23 copy of Exhibit 6113 and 6113E.

24 24. [UNDER SEAL] Attached to my declaration as **Exhibit 23** is a true and correct
25 copy of the Expert Rebuttal Report of Dr. Kenneth Elzinga dated September 26, 2014.

1 I declare under penalty of perjury under the laws of the State of California and the United
2 States that the foregoing is true and correct.
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4 Executed this 7th day of November, 2014 at Chicago, Illinois.

5 _____
6 */s/ Michael T. Brody*
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11 MICHAEL T. BRODY
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